

REMARKS

Claims 1-4 and 6-10 are pending in the present Application. Claim 3 has been canceled, Claim 1 has been amended, and no claims have been added, leaving Claims 1, 2, 4, and 6-10 for consideration upon entry of the present Amendment.

Amendments to Claims

Claim 1 has been amended to include the limitations of Claim 3, canceled herewith.

Allowable Subject Matter

Applicants note the Examiner has withdrawn the previous rejections, and wish to thank the Examiner for the indication that Claims 3, 4, 7, and 10, objected to as depending from a rejected base claim, would otherwise be allowable if rewritten in independent form. Applicants believe that in view of the amendments above and discussed below, that all claims will be found allowable.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 102(b)/103(a)

Claims 1, 2, 6, 8, and 9 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by, or in the alternative, under 35 U.S.C. § 103(a), as allegedly unpatentable over, Japanese Patent Publication No. 6-456762 (“JP ‘762”). Applicants respectfully traverse this rejection.

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Variant Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987).

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, or knowledge generally available in the art at the time of the invention, must provide some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

Claim 1, as amended, includes limitations of Claim 3 to the weight average molecular weight for the polyolefin copolymer of 20,000 to 50,000. The Examiner has indicated that

Claim 3 is objected to as depending from a rejected base claim. As Claim 1 therefore contains subject matter that is allowable over JP '762, the cited reference does not disclose all limitations of the instant claims and cannot therefore anticipate or render unpatentable the instant claims. Reconsideration and withdrawal of the rejection of Claims 1, 2, 6, 8, and 9 over JP '762 is therefore respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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